

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TELECOMMUNICATION SYSTEMS, INC.,

Plaintiff,

v.

LYNNE HOUSERMAN and MOTOROLA
SOLUTIONS, INC.,

Defendants.

**Case Nos. 2:19-cv-00336-RAJ-BAT
2:19-cv-00644-RAJ-BAT**

**ORDER REGARDING LIMITED
EXTENSION OF DISCOVERY
DEADLINE FOR SELECT
DEPOSITIONS**

LYNNE HOUSERMAN,

Plaintiff,

v.

COMTECH TELECOMMUNICATIONS
CORPORATION, FRED KORNBERG, and
MICHAEL D. PORCELAIN,

Defendants.

This matter comes before the Court on the parties' Stipulation for the limited extension of the discovery deadline for select depositions. Dkt. 91, Case No. 2:19-cv-00336-RAJ-BAT; and Dkt. 102, Case No. 2:19-cv-00644-RAJ-BAT.¹ The parties have stipulated as follows:

¹ The Court consolidated discovery in these actions. *See* Dkt. 31, 2:19-cv-00336-RAJ-BAT; Dkt. 30, 2:19-cv-00644-RAJ-BAT.

1 1. On March 18, 2020, the parties filed a Stipulated Motion and Proposed Order
2 Regarding Depositions and Amending Case Order. Dkt. 54, 2:19-cv-00336-RAJ-BAT; Dkt. 65,
3 2:19-cv-00644-RAJ-BAT.

4 2. On March 24, 2020, the Court entered a minute order, resetting case deadlines.
5 Pursuant to that minute order, discovery in both cases is to be completed by October 22, 2020.

6 3. The parties noticed a number of depositions to take place by remote means in
7 September and October 2020. Those depositions include the Fed. R. Civ. P. 30(b)(6) depositions
8 of Telecommunication Systems, Inc. and Comtech Telecommunications Corp. and Motorola
9 Solutions, Inc. (collectively, the “30(b)(6) Depositions”); depositions of non-party witnesses
10 Ethan Gibbs and Blair Jones formerly affiliated with the law firm Proskauer LLP, as well as a
11 30(b)(6) deposition of Proskauer LLP, and the deposition of Brian David, a witness affiliated
12 with the executive recruiting firm Egon Zehnder, as well as a 30(b)(6) deposition of Egon
13 Zehnder (“Non-party Depositions”); and depositions of the parties’ experts (“Expert
14 Depositions”).

15 4. The parties have conferred about the scope and/or scheduling of the 30(b)(6)
16 Depositions, Non-party Depositions, and Expert Depositions. The parties have agreed to defer
17 the 30(b)(6) Depositions until as many of the depositions of individuals have occurred as
18 possible. The parties have further agreed to continue to confer about whether the topics for the
19 respective 30(b)(6) Depositions may be further narrowed and/or eliminated as a result of the
20 depositions of individuals that take place prior to the 30(b)(6) Depositions. The parties further
21 stipulate and agree to limit the 30(b)(6) deposition of Motorola Solutions, Inc. to 7 hours on the
22 record, and to limit the 30(b)(6) depositions of Comtech Telecommunications Corp. and
23 Telecommunication Systems, Inc. to a total of 10.5 hours on the record.

1 5. With respect to Non-party Depositions, the parties have agreed to conduct these
2 depositions before November 13, 2020 due to the unavailability of the non-party witnesses
3 before the October 22, 2020 discovery deadline.

4 6. With respect to Expert Depositions, the parties have agreed to conduct these
5 depositions, if at all, promptly after fact depositions and, with the exception of one expert noted
6 below, before November 13, 2020.

7 7. On September 11, 2020, the Court denied Motorola Solutions, Inc. (“MSI”) and
8 Lynne Houserman’s motion for a protective order regarding the deposition of MSI Chief
9 Executive Officer Greg Brown. Dkt. 82, 2:19-cv-00336-RAJ-BAT. Following that order, the
10 parties have conferred about the scheduling of Mr. Brown’s deposition. Both sides and the
11 witness would be available for the deposition on October 26, 2020, which is shortly after the
12 current October 22, 2020 discovery deadline.

13 8. On October 19, 2020, parties Comtech Telecommunications Corp.,
14 Telecommunication Systems, Inc., Fred Kornberg and Michael D. Porcelain took the deposition
15 of former MSI employee Manuel Cuevas. Due to a family emergency, the deposition adjourned
16 45 minutes early. MSI and Mr. Cuevas have therefore agreed to provide the parties taking the
17 deposition the opportunity to conclude the deposition, and the parties have agreed that such
18 deposition will conclude on or before November 13, 2020.

19 9. As a result of the deposition schedule in September and October 2020, the parties’
20 discussions regarding scheduling Mr. Brown’s deposition, the parties’ discussions and agreement
21 to conduct Non-party Depositions and Expert Depositions (with one exception due to witness
22 availability) before November 13, 2020, the parties’ agreement to continue to confer in an effort
23 to narrow and streamline the 30(b)(6) Depositions, and the family emergency necessitating the

deposition of Mr. Cuevas to adjourn early, the parties stipulate and agree that there is good cause to extend the October 22, 2020 discovery cutoff for the sole purposes of: conducting Mr. Brown's deposition, the 30(b)(6) Depositions, the Non-party Depositions and Expert Depositions, and concluding the deposition of Mr. Cuevas.

Accordingly, it is **ORDERED** that the current deadlines are extended as follows:

Event	Current Deadline	Extension
All discovery to be Completed, with the Exception of select Non-Party Depositions noted below, Expert Depositions, 30(b)(6) Depositions, and Greg Brown's Deposition	10/22/20	10/22/20 (no change)
Greg Brown Deposition	10/22/20	To Be Conducted on 10/26/20
Non-Party Egon Zehnder and Brian David Depositions	10/22/20	To Be Conducted on 10/29/20
Non-Party Proskauer LLP; Blair Jones and Ethan Gibbs Depositions; 30(b)(6) Depositions; Expert Depositions of Elaine Lehnert, Mark Gustafson, and Todd Milbourn	10/22/20	To Be Conducted on or before 11/13/20
Conclusion of Manuel Cuevas Deposition	10/22/20	To Be Concluded on or before 11/13/20
Expert Deposition of Gary Goolsby	10/22/20	To Be Conducted on 11/17/20

No other case deadline or trial date is affected by this Order.

DATED this 21st day of October, 2020.



BRIAN A. TSUCHIDA
Chief United States Magistrate Judge